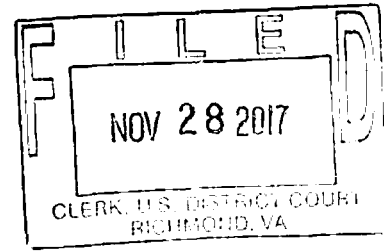


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



SUNDARI K. PRASAD,

Plaintiff,

v.

Civil Action No. **3:17CV152**

SGT. COWAN, *et al.*,

Defendants.

MEMORANDUM OPINION

Plaintiff, a federal inmate proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. *See Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). Courts must liberally construe *pro se* civil rights complaints in order to address constitutional deprivations. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). Nevertheless, “[p]rinciples requiring generous construction of *pro se* complaints are not . . . without limits.” *Beaudett v. City of Hampton*, 775 F.2d 1274, 1278 (4th Cir. 1985). In her current Complaint, Plaintiff does not identify the particular constitutional right that was violated by the defendants’ conduct. In addition, Plaintiff’s current allegations also fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)).

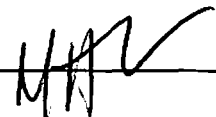
Accordingly, by Memorandum Order entered on September 19, 2017, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry

thereof. The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action. By Memorandum Order entered on October 12, 2017, the Court denied a motion filed by Plaintiff and warned her that she must file a particularized complaint within eleven (11) days of the date of entry thereof or else the action would be dismissed.

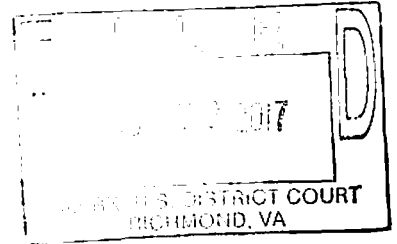
More than eleven (11) days have elapsed since the entry of the October 12, 2017 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the October 12, 2017 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order will accompany this Memorandum Opinion.

Date: *11-28-17*
Richmond, Virginia

/s/ 
M. Hannah Lauck
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
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Richmond Division**



SUNDARI K. PRASAD,

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ORDER

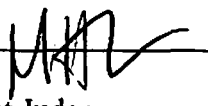
In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that the action is DISMISSED WITHOUT PREJUDICE.

Should Plaintiff desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the ability to appeal.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion and Order to Plaintiff.

And it is so ORDERED.

Date: *11-28-17*
Richmond, Virginia

/s/ 
M. Hannah Lauck
United States District Judge